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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

**CONFIRMATION NO. 8856** 

CROWLEY, ET AL.

EXAMINER: QAZI, S.

**APPLICATION NO: 10/540,037** 

**ART UNIT: 1616** 

FILED: JUNE 22, 2005

FOR: NAPHTHYRIDINE DERIVATIVES AND THEIR USE AS

**FUNGICIDES** 

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In accordance with 37 C.F.R. §1.56, applicants wish to call the Examiner's attention to the references cited on the attached form(s) PTO-1449.

The Examiner is requested to consider the foregoing information in relation to this application and indicate that each reference was considered by returning a copy of the initialed PTO 1449 form(s).

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**Date: January 20, 2006** 

Rebecca Gegick

Attorney for Applicants

Reg. No. 51,724

PTO/SB/08A (07-05)

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| Complete if Known      |                  |   |  |  |  |
|------------------------|------------------|---|--|--|--|
| Application Number     | 10/540,037       |   |  |  |  |
| Filing Date            | 06/22/2005       |   |  |  |  |
| First Named Inventor   | CROWLEY, PATRICK |   |  |  |  |
| Art Unit               | 1616             |   |  |  |  |
| Examiner Name          | QAZI, S.         | - |  |  |  |
| Attorney Docket Number | 70189            |   |  |  |  |

| U. S. PATENT DOCUMENTS |  |  |                                |  |  |  |  |  |
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| Examiner<br>Initials*  | Cite<br>No. <sup>1</sup>                         | Document Number  Number-Kind Code <sup>2 (f known)</sup> | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines, Where<br>Relevant Passages or Relevan<br>Figures Appear |  |  |  |
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| <br>Cite<br>No.1             | Foreign Patent Document   | Publication Date | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages | Γ |  |  |  |
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|                              | EP 1249452  | 10/16/2002       | BASF AKTIENGESELLSCHA                              |   |   |  |  |  |
|                              | WO 02/051845  | 07/04/2002       | NIHON BAYER AGROCHEM                               |   |   |  |  |  |
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|                                   | Application Number   | 10/540,037        |   |  |
| INFORMATION DISCLOSURE            | Filing Date          | 06/22/2005        |   |  |
|                                   | First Named Inventor | CROWLEY, PATRICK  |   |  |
| STATEMENT BY APPLICANT            | Art Unit             | 1616              |   |  |
| (Use as many sheets as necessary) | Examiner Name        | QAZI, S.          | - |  |

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Attorney Docket Number | 70189

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|--------------------|--------------|---|------------------|--|---|----|
| Examiner Initials* | Cite<br>No.1 | Foreign Patent Document   | Publication Date | Name of Patentee or<br>Applicant of Cited Document | Pages, Columns, Lines,<br>Where Relevant Passages |    |
|                    |              | Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known) | MM-DD-YYYY       |  | Or Relevant Figures Appear                        | T⁵ |
|                    |              | WO 02/088127  | 11/07/2002       | BAYER AKTIENGESELLSCH                              |   |    |
|                    |              | WO 92/07468   | 05/14/1992       | IMPERICAL CHEMICAL                                 |   |    |
|                    |              | WO 93/13097   | 07/08/1993       | THE BOOTS COMPANY                                  |   |    |
|                    |              | WO 92/22533   | 12/23/1992       | THE UPJOHN COMPANY                                 |   |    |
|                    |              |   |                  |  |   |    |
|                    |              |   |                  |  |   |    |

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|                        |                      |          |           | Application Number     | 10/540,037        |
| INFO                   | DRMATION             | DIS      | CLOSURE   | Filing Date            | 06/22/2005        |
| STATEMENT BY APPLICANT |                      |          | PPLICANT  | First Named Inventor   | CROWLEY, PATRICK  |
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|                        | (Coo as many sinc    |          |           | Examiner Name          | QAZI, S.          |
| Sheet                  | 3                    | of       | 4         | Attorney Docket Number | 70189             |

|                    |                          | NON PATENT LITERATURE DOCUMENTS   |                |
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| Examiner Initials* | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
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| Examiner  | Date       |  |
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| Sheet 4 of 4                      | Attorney Docket Number | 70189             |

| nitials* No.1 the item (book, magazine, journal, serial, symposium, catalog, |  | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
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